

**SEALED**

DISTRICT OF OREGON, ss: AFFIDAVIT OF RYAN C. HALL

**Affidavit in Support of a Criminal Complaint and Arrest Warrant**

I, Ryan Hall, being duly sworn, do hereby depose and state as follows:

**Introduction and Agent Background**

1. I am a Special Agent with the Federal Bureau of Investigation (FBI) and have been since May 2017. I am presently assigned to the Portland Division of the FBI, and specifically to the Bend Resident Agency. During my employment, I have investigated and have assisted others in investigating a range of federal crimes, including drug and gang-related offenses; felons in possession of a firearm; child pornography; online enticement of minors; Indian Country crimes and interstate travel for the purpose of engaging in illicit sexual activity with minors; I have conducted numerous threat assessments that have been reported to the FBI.

2. I submit this affidavit in support of a criminal complaint and arrest warrant for **Leonard Trey Polk** (DOB XX/XX/2000), for sexual abuse of a minor in violation of Title 18, U.S.C. § 2243(a)(1). As set forth below, there is probable cause to believe, and I do believe, that **Leonard Trey Polk** (Polk) committed the violation of sexual abuse of a minor in violation of Title 18, U.S.C. § 2243(a)(1).

3. This affidavit is intended to show only that there is sufficient probable cause for the complaint and requested warrant and does not set forth all of my knowledge about this matter. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, interviews of witnesses, a review of records related to this investigation, communications with others who have knowledge of the events and circumstances described herein, and information gained through my training and experience.

**Applicable Law**

4. Pursuant to 18 U.S.C. § 2243(a)(1), it is a crime, in the special maritime and territorial jurisdiction of the United States to knowingly engage in a sexual act with another person who has attained the age of 12 years but has not attained the age of 16 years; and is at least four years younger than the person so engaging.

5. Pursuant to 18 U.S.C. § 2246(a), the term “sexual act” means  
(A) contact between the penis and the vulva or the penis and the anus, and for purposes of this subparagraph contact involving the penis occurs upon penetration, however slight;  
(B) contact between the mouth and the penis, the mouth and the vulva, or the mouth and the anus; (C) the penetration, however slight, of the anal or genital opening of another by a hand or finger or by any object, with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person; or (D) the intentional touching, not through the clothing, of the genitalia of another person who has not attained the age of 16 years with an intent to abuse, humiliate, harass, degrade, or arouse or gratify the sexual desire of any person.

**Statement of Probable Cause**

6. On January 13, 2025, fifteen-year-old Minor Victim 1 (MV1) (DOB: XX/XX/2009) was reported missing out of Jefferson County, Oregon by Adult Witness 1 (AW1). On January 20, 2025, MV1 began to message her aunt, Adult Witness 2 (AW2), on Facebook Messenger. On January 21, 2025, AW2 provided me with the messages from MV1. Throughout the conversation, MV1 never refers to the subject by name. He remained unidentified throughout the conversation. He was later identified as Polk. For clarity in the probable cause statement, I will refer to him as Polk. Below are multiple messages shared

between MV1 and AW2 on January 20, 2025. Alterations to protect individual's identities are signified by brackets.

- AW2: I just don't talk to them (family) really..got a lot going on myself. And at least are you okay?
- MV1: Not really no
- AW2: Are you safe then..?
- MV1: No..
- AW2: What's going on ??
- MV1: Well let's just say I'm not staying with a good person.. But I can't do anything because I have no where else to go
- AW2: Why aren't they a good person? Did they hurt you..? What happened to staying with [AW1]?
- MV1: I wasn't listening so she said if I don't stop acting up she was gonna send me back to North Dakota n go to foster care. No one wants to foster someone my age because we are "troubled teenagers" and even if they did find a house I'd most likely be passed on over and over again. I mean he hasn't physically hurt me but he has raped and assaulted me.
- AW2: You really shouldn't be around him.. now I'm worried about you. I wish you were safe.
- MV1: I don't know where to go Tia. I don't know what to do. I told someone about my situation yesterday and they called they cops but I hide from them. I've

talked go some other family. No one can take me in. So I feel like I should just suffer the consequences because I put myself here.

- AW2: Would you want to go to new Mexico with our mom if that's an option? Daniel is out there. So is uncle Corey. Just let me know if you'd consider that an option sweetheart.
- MV1: I asked grandma. She doesn't have toom \*room. I texted her yesterday.
- AW2: You wouldn't consider coming back at all? Are you with an adult or a bf?
- MV1: An adult..
- AW2: How old..? Can I ask? I was a troubled teen I did so many bad things I'm not going to judge you at all.
- MV1: He's 24. He was fine when we first started to hang.
- AW2: He's the one that isn't a good person?
- MV1: Yes. I'm scared of him.
- AW2: He's an adult so even if you ever did consent that is still very illegal. That man is a predator baby...He does not care about you, he likes how young you are..
- MV1: I know..But I don't think I'm allowed to go back to [AW1].
- AW2: Why wouldn't you be able to? Just talk with her and you haven't had an easy life. We understand.
- MV1: Because I don't listen to her. O don't follower her rules and I don't think she would let me.
- AW2: Honey that man could be dangerous (sad face emoji) I just want you safe.

- MV1: He is.
- AW2: Please go home. I know you don't want to but he's a predator .. I can assure you, you're not going to be punished. I'm positive you're more than welcome back home. With how worried I am, they are. I am sure of it. I looked up missing persons and I seen your name.. in Oregon. I didn't know you ran away (sad face emoji).
- MV1: I don't know if I'm welcome backed, but listen at the end of the day I will pack up my stuff leave and call the cops. I will leave this place, I just, I don't want to get him in trouble. I want to enjoy this last day of freedom.. Because I don't know Where I'll...

During the next series of messages, MV1 discloses that she was drunk and did not want to go to the cops because she didn't want Polk getting in trouble.

- AW2: Are you all drunk? That doesn't seem safe (sad face emoji)
- MV1: We are. It's not safe your right. I get too fucked. Too high or too drunk. But I feel like if I say no the idk what will happen. He has weapons Tia. I'm scared.
- AW2: It's your choice to say no baby..is his family there too or are you guys alone? Weapons and drinking isn't safe for anyone..
- MV1: We're alone now.
- AW2: What's happening right now?
- MV1: He went to go get cash in his change at a store. Yeah and he has his gun..
- AW2: Is he carrying it on him

- MV1: Not on him. It's in the car. I stayed. In the car.

On January 21, 2025, AW2 once again asked if MV1 had been raped. MV1 said Polk attempted to rape her again but failed. AW2 reaffirmed with MV1 that MV1 was previously raped by Polk. MV1 affirmed that she was previously raped by Polk. MV1 also sent an image of her location using a dropped pin on a map, specifically in Wapato, Washington.

#### **Statement of MV1**

7. On January 21, 2025, the FBI contacted MV1 and transported her to receive medical care. During the transport, the FBI conducted a brief interview with MV1. MV1 stated she traveled to Wapato, WA with a friend, Leonard POLK. MV1 stated they met on Facebook three weeks ago. MV1 said that Polk raped MV1 in his house in Oregon and MV1 clarified that it was on the reservation. MV1 provided Special Agents Shannon M. Welch and Rafael Gutierrez with the clothing she wore when she was assaulted. While providing SAs Welch and Gutierrez with the clothing from her backpack, MV1 stated that approximately two days ago, Polk pointed a pistol at her feet and told her to dance. MV1 described the pistol as having a dark handle with a blue bandana.

#### **Interview of POLK**

8. On January 21, 2025, SA Rafael Gutierrez and SA Justin Barzar interviewed Leonard POLK in Wapato, WA. Agents advised POLK of his Miranda Rights. Polk acknowledged he understood his rights. Polk said he connected with "B.G." (MV1), who is approximately 16 years old, on Snapchat. Polk did not know MV1's real name, but her Facebook Messenger name was "Zella Riemers." Polk and MV1 exchanged nude images over Snapchat. POLK met and picked up MV1 on multiple occasions from Madras, OR. B.G. began

to stay the night at POLK's residence, located at 4191 Ben Lane, Warm Springs, OR. This address is within the exterior boundaries of the Warm Springs Indian Reservation.

9. Polk admitted that he "fucked up" and had vaginal intercourse with MV1, who is a minor, at his residence on one occasion after he provided her alcohol. Polk described the sexual encounter as consensual. Polk admitted to having oral sex with MV1, as well as having digitally rubbed her clitoris over and under her underwear with his right hand. MV1 traveled with POLK and other relatives from Warm Springs, OR to Wapato, WA for a funeral in a Chevrolet Suburban, Oregon Plate 459DPX.

#### **Leonard Polk**

10. Polk is an enrolled tribal member of the Confederated Tribes of Warm Springs. Polk's tribal enrollment number is 5255.

#### **Conclusion**

11. Based on the foregoing, I have probable cause to believe, and I do believe, that Leonard Trey Polk committed sexual abuse of a minor in violation of 18 U.S.C. § 2243(a)(1). I therefore request that the Court issue a criminal complaint and arrest warrant for Leonard Trey Polk.

12. Prior to being submitted to the Court, this affidavit, the accompanying complaint and the arrest warrant were all reviewed by Assistant United States Attorney (AUSA) Pamela Paaso, and AUSA Paaso advised me that in her opinion the affidavit and complaint are legally and factually sufficient to establish probable cause to support the issuance of the requested criminal complaint and arrest warrant.

**Request for Sealing**

13. It is respectfully requested that the Court issue an order sealing, until further order of the Court, all papers submitted in support of the requested criminal complaint and arrest warrant. I believe that sealing these documents is necessary because the information to be seized is relevant to an ongoing investigation, and any disclosure of the information at this time may cause destruction of or tampering with evidence, or otherwise seriously jeopardize an investigation. Premature disclosure of the affidavit, the criminal complaint, and the arrest warrant may adversely affect the integrity of the investigation.

/s/ By telephone pursuant to Fed. R. Crim. P. 4.1

RYAN C. HALL  
Special Agent, FBI

Sworn in accordance with the requirements of Fed. R. Crim. P. 4.1 by telephone at

7:51 p.m. on January 21, 2025.

  
HONORABLE STACIE F. BECKERMAN  
United States Magistrate Judge